

REMARKS

Allowable Subject Matter

The Applicants note with appreciation the Examiner's allowance of claims 2-4, 6-9, 11, 13, 16-19, and 21. The Applicants further appreciate the Examiner's comment that claims 1, 5, 10, 12, 14, 15, 20, and 22-31 would be allowable if the Examiner's rejections under 35 U.S.C. § 112 are addressed and terminal disclaimers filed.

Claim Objections

The Examiner objected to claim 9, insofar as it depended from itself as written. The Applicants have amended claim 9 to depend from claim 8. Accordingly, the Applicants respectfully request the Examiner withdraw his rejection and allow claim 9.

Double Patenting Rejections

The Examiner rejected claims 1, 5, and 10 under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3, and 6 of United States Patent No. 5,944,648 (the "'648 Patent"). Claim 1 was further rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claim 6 of United States Patent No. 6,142,924 (the "'924 Patent"). Finally, the Examiner rejected claims 1 and 10 under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 15 and 16 of co-pending United States patent application serial no. 09/707,430 (the "'430 Application").

In response to the Examiner's rejections, the Applicants submit three (3) terminal disclaimers, disclaiming the life of the patent beyond the life of the '648 Patent, the '924 Patent, and the '430 Application. The Applicants respectfully submit these terminal disclaimers overcome the Examiner's rejections. Accordingly, the Applicants respectfully request the Examiner withdraw his rejections and allow claims 1, 5, and 10.

35 U.S.C. § 112, Second Paragraph Rejections

The Examiner rejected claims 12, 15, 20, 23, 27, and 30 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention. In response to the Examiner's rejection, the Applicants have amended these claims to clarify the antecedent bases for certain claim elements. The Applicants respectfully submit these clarifying amendments do not substantially change the scope or coverage of the claims.

The Applicants further respectfully submit these amendments place the rejected claims in condition for allowance. Accordingly, the Applicants respectfully request the Examiner withdraw his rejections and allow claims 12, 15, 20, 23, 27, and 30 as soon as practicable.

Closing Remarks

The Applicants have filed the appropriate terminal disclaimers herewith, and clarified the antecedent bases of certain claim elements. Thus, the Applicants respectfully submit all pending claims are in condition for allowance.

Conclusion

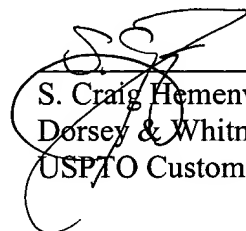
This Amendment and Response is filed without any petition or fees. The Applicants believe none are required. However, should any petitions or fees associated with this amendment be necessary, please consider this a request therefor and charge Deposit Account No. 04-1415 as necessary.

The Applicants thank the Examiner for his review of the claims in this application. Further, the Applicants submit that the application is now in condition for allowance, and respectfully request that the application be passed to allowance. In the event the Examiner has questions or comments and a telephone conversation would expedite a resolution, the Applicants invite the Examiner to contact the undersigned attorney at (303) 352-1124.

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SCH/sd

cc: IP Docketing